IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

9

Pascal DESMAZEAU, et al

Application No.: 10/790,260

Filed: March 02, 2004

Title: Streptogramin Derivatives, Preparation
Method And Compositions Containing

Same

Examiner:

Lukton, David

Art Unit:

1654

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

Date of Deposit

EL964825019US

Express Mail No.

<u>INFORMATION DISCLOSURE STATEMENT</u> <u>UNDER 37 C.F.R. 1.56, 1.97 AND 1.98</u>

Mail Stop Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Applicants submit herewith patents, publications, and other information of which they are aware, which they believe may be material, as defined in 37 C.F.R. 1.56(b), to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. 1.56(a). While the information referred to in this Information Disclosure Statement may be material pursuant to 37 C.F.R. 1.56(b), the filing of this Information Disclosure Statement is not intended to, pursuant to 37 C.F.R. 1.97(h), constitute an admission that any patent, publication or other information referred to is, or is considered to be, material to the patentability of this invention. Pursuant to 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information exists.

(a) This Information Disclosure Statement is filed within the period set forth in §1.97(b) because it accompanies the new patent application submitted herewith, is filed within three months of the filing date of a national application or within three months of the date of entry of the national stage as set forth in §1.491 in an international application, or is believed to be filed before the mailing date of a first Office Action on the merits; before the mailing of a first office action after the filing of a request for continue examination under §1.114 whichever event occurs last. However, in the event that the first office action has been mailed, the Commissioner is authorized to charge any fees under 37 C.F.R. 1.17(p) or credit any overpayment to Account No. 18-1982.

7		
	(b)	This Information Disclosure Statement is filed after the period set forth in 37 C.F.R.
		1.97(b), but is believed to be filed before the mailing date of a final action under §1.113
		or a notice of allowance under §1.311, whichever occurs first.
		(1) The undersigned attorney certifies that each item of information contained in this
		Information Disclosure Statement was cited in a communication from a foreign
		patent office in a counterpart foreign application not more than three months prior
		to the filing of this statement;
		(2) The undersigned attorney certifies that no item of information contained in this
		Information Disclosure Statement was cited in a communication from a foreign
		patent office in a counterpart foreign application or, to the knowledge of the
		undersigned attorney after making reasonable inquiry, was known to any
		individual designated in §1.56(c) more than three months prior to the filing of this
		statement; or
		(3) This Information Disclosure Statement is accompanied by a transmittal letter in
		which payment of the fee set forth in §1.17(p) and required by 37 C.F.R. 1.97(c) is
		authorized.
		Respectfully submitted,
		1
7,	apple	ember 8, 2005 Balaram Gupta Reg No. 10 000
•		Balaram Gupta, Reg. No. 40,009

Attorney/Agent for Applicant

Aventis Pharmaceuticals Inc.
Patent Department
Route #202-206 / P.O. Box 6800
Bridgewater, NJ 08807-0800
Telephone (908) 231-3364
Telefax (908) 231-2626

Docket No. ST98007 US CNT

Please type a plus sign (+) inside this box →

ere required to re

PTO/SB/08A (10-96)
Approved for use through 10/31/99. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE and to a collection of information unless it contains a valid OMB control number.

Under the Paperwork Reduction Act of 1995, no pers Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

3 Sheet of

Complete if Known				
Application Number	10/790,260			
Filing Date	03-02-2004			
First Named Inventor	Pascal DESMAZEAU, et al			
Group Art Unit	1654			
Examiner Name	LUKTON, David			
Attorney Docket Number	ST98007 - US - CNT			

	U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No.1	U.S. Patent D Number	Ocument Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		2002/0132765		BACQUE, et al	09-19-2002	
		6,541,451		BACQUE, et al	04-01-2003	
		6,569,854		ACHARD, et al	05-27-2003	
			_			
			_			
						-
		_			 	
					 	

				IGN PATENT DOCUMENT	13		
04-	F	oreign Patent Do	cument	Name of Patentee or	Date of Publication of	Pages, Columns, Lines,	Т
No.1	Office ³	Number4	Kind Code ⁵ (if known)	Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	Т
				· ·····			4
					 		╬
. –							╫
			-		1		+
					<u> </u>		十
							Т
	Cite No.1	Cite	Cite	Cite Kind Code ⁵	Cite Name of Patentee or	Cite Name of Patentee or Cited Document Cited Document	Cite Name of Patentee or Cited Document Where Relevant Passages or Relevant Passages or Relevant

		
Examiner	Date	
Signature	Considered	

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Please type a plus sign (+) inside this box ->	7
--	---

PTO/SB/08B (10-96)

Approved for use through 10/31/99. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitu	ute for form 1449B/P	TO.		Complete if Known		
				Application Number	10/790,260	
INF	ORMATIO	NI	DISCLOSURE	Filing Date	03-02-2004	
STA	TEMENT	RY	APPLICANT	First Named Inventor	Pascal DESMAZEAU, et al	
0.7			All Liomiti	Group Art Unit	1654	
	(use as many	shee	ts as necessary)	Examiner Name	LUKTON, David	
Sheet	2	of	3	Attorney Docket Number	ST98007 - US - CNT	

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS								
Examiner Initials	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.							
		ATKINSON G. et al., How To Show That Unicorn Milk Is A Chronobiotic: The Reagression-to-the-Mean Statistical Artifact, Chronobiology International (2001, pp. 1041-1053, Volume 18, No. 6) Abstract Only						
		BEZEAU S. et al., Statistical Power And Effect Sizes Of Clinical Neuropsychology Research, Journal of Clinical Experimental Neuropsychology (2001, pp. 399-406, Volume 23, No. 3) Abtract Only						
		BOLTON S., Independence and Statistical Inference In Clinical Trial Designs: a Tutorial Review, Journal Clinical Pharmacology (1998, pp. 408-412, Volume 38, No. 5) Abstract Only						
		BRYANT TN, The Presentation Of Statistics, Pediatric Allergy Immunology (1998, pp. 108-115, Volume 9, No. 3) Abstract Only						
· · · ·		CHUNG KC et al., The Prevalence Of Negative Studies With Inadequate Statistical Power: An Analysis Of The Plastic Surgery Literature, Plastic and Reconstructive Surgery (2002, pp. 1-6, Volume 109, No. 1) Abstract Only						
-	i	DORIT AVRAHAMI et al., Effect of Multiple Aliphatic Amino Acids Substitutions on the Structure, Function, and Mode of Action of Diastereomeric Membrane Active Peptides, Biochemistry (2001, pp. 12591-12603, Volume 40)						
		ELISABETTA GAVINI et al., Synthesis and "in Vitro" Antimicrobial Properties of N-Oxide Derivatives Based on Tricyclic Indeno(2,1-c) pyridazine and Benzo[f] cinnoline systems, Arch. Pharm. Pharm. Med. Chem. (2000, pp.341-346, Volume 333)						
		JOHN LUDBROOK, Statistics In Physiology And Pharmacology: A Slow And Erratic Learning Curve, Clinical And Experimental Pharmacology and Physiology (2001, pp. 488-492, Volume 28)						
		P. JUVVADI et al., Structure-activity studies of normal and retro pig cecropin-melittin hybrids, Journal of Peptide Research (1999, pp. 244-251, Volume 53)						

Examiner	Date	
Signature	Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

Please type a plus sign (+) inside this box →	~	
---	---	--

Sheet

PTO/SB/08B (10-96)
Approved for use through 10/31/99. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitu	ite for form 1449B/PT	5		Complete if Known		
				Application Number	10/790,260	
INF	ORMATIO	N L	DISCLOSURE	Filing Date	03-02-2004	
STA	TEMENT	BY	APPLICANT	First Named Inventor	DESMAZEAU	
• • • •			, <u> </u>	Group Art Unit	1654	
	(use as many s	heet	's as necessary)	Examiner Name	LUKTON, David	
heet	3	of	3	Attorney Docket Number	ST98007 - US - CNT	

		OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		RONNIE WILLENHEIMER, Statistical Significance Versus Clinical Relevance in Cardiovascular Medicine, Progress in Cardiovascular Diseases (2001, pp. 155-167, Volume 44, No. 3)	
		RYOSUKE FUDOU et al., Haliangicin, a Novel Antifungal Metabolite Produced by a Marine Myxobacterium, The Journal of Antibiotics (2001, pp. 149-152, Volume 54, No. 2)	
		VERONIQUE BLANC et al., Cloning and Analysis of Structural Genes from Streptomyces pristinaespiralis Encoding Enzymes Involved in the Conversion of Pristinamycin II beta to Pristinamycin II a (PIIA): PIIA Synthase And NADH: Riboflavin 5'-Phosphate Oxidoreductase, Journal of Bacteriology (1995, pp. 5206-5214)	
	1		
Examiner Signature		Date Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.